

SEP 18 2006

Nixon Peabody LLP

Attorneys at Law

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From: David S. Resnick Stephen R. Duly	Date: September 18, 2006	No. of Pages: 16 (including this page)	
Comments: Attached hereto please find the following: Application No. 09/719,870 TC/A.U.: 1635 Filed: April 12, 2001 Examiner: Janet L. Epps-Ford Applicant: Masad J. Damha et al. Confirmation No.: 5859 For: ANTISENSE OLIGONUCLEOTIDE CONSTRUCTS BASED ON β - ARABINOFURANOSE AND ITS ANALOGUES 1. Certificate of Facsimile (1 pg.); 2. Transmittal Form (1 pg.); 3. Amendment (9 pp.); 4. Petition for Extension of Time in duplicate (2 pp.); and 5. Fee Transmittal in duplicate (2 pp.).			

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SEP 18 2006

Atty. Docket No. 701826-055820-RCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	09/719,870	TC/A.U.:	1635
Filed:	April 12, 2001	Examiner:	Janet L. Epps-Ford
Applicant:	Masad J. Damha et al.	Confirmation No.:	5859
For:	ANTISENSE OLIGONUCLEOTIDE CONSTRUCTS BASED ON β -ARABINOFURANOSE AND ITS ANALOGUES		

MAIL STOP AMENDMENT
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I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 on the date shown below:

1. Certificate of Facsimile (1 pg.);
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5. Fee Transmittal in duplicate (2 pp.).

Date: September 18, 2006
SignatureNicole M. Aguirre

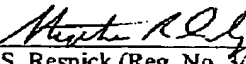
(type or print name of person certifying)

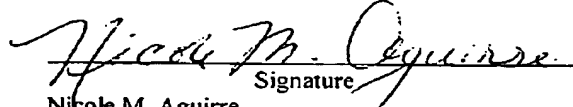
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SEP 18 2006

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/719,870
		Filing Date	04/12/2001
		First Named Inventor	Masad J. Damha
		Group Art Unit	1635
		Examiner Name	Janet L. Epps-Ford
Total Number of Pages in This Submission		Attorney Docket Number	701826-055820-RCE

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Facsimile
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Nixon Peabody LLP 100 Summer Street Boston, MA 02110-2131
Signature	 David S. Resnick (Reg. No. 34,235) / (Stephen R. Duly (Reg. No. 56,183))
Date	September 18, 2006

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
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<u>September 18, 2006</u> Date	 Signature Nicole M. Aguirre Typed or printed name

SEP 18 2006

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p.6

**FEE TRANSMITTAL
FOR FY 2005**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 60.00)

Complete if Known

Application Number	09/719,870
Filing Date	04/12/2001
First Named Inventor	Masad J. Damha
Art Unit	1635
Examiner Name	Janet L. Eppe-Ford
Atty. Docket No.	701826-055820-RCE

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
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Deposit Account Number 19-2380

Deposit Account Name Nixon Peabody LLP

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Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20**	X		0
Independent Claims	-3**	X	0
Multiple Dependent	X		0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 5
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	500	2452	250	Petition to revive - unavoidable
1453	1,500	2453	750	Petition to revive - unintentional
1501	1,400	2501	700	Utility issue fee (or reissue)
1502	800	2502	400	Design issue fee
1503	1,100	2503	550	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 60.00)

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September 18, 2006

Date

Nicole M. Auvine

Signature

Typed or printed name

SUBMITTED BY

Name (Print/Type)	David S. Resnick Stephen R. Duly	Registration No. (Attorney/Agent)	34,235 / 56,183	Complete (if applicable)	(617) 345-6089 / 1270
Signature				Telephone	
				Date	September 18, 2006

FEE TRANSMITTAL FOR FY 2005 <i>Patent fees are subject to annual revision.</i>		<i>Complete if Known</i> Application Number: 09/719,870 Filing Date: 04/12/2001 First Named Inventor: Masad J. Damha Art Unit: 1635 Examiner Name: Janet L. Epps-Ford Atty. Docket No.: 701826-055820-RCE	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		COPY	
TOTAL AMOUNT OF PAYMENT (\$) 60.00			

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																								
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None				3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>120</td><td>2251</td><td>60</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>450</td><td>2252</td><td>225</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>1,020</td><td>2253</td><td>510</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,590</td><td>2254</td><td>795</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,160</td><td>2255</td><td>1,080</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>500</td><td>2401</td><td>250</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>500</td><td>2402</td><td>250</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>1,000</td><td>2403</td><td>500</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>500</td><td>2452</td><td>250</td><td>Petition to revive - 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2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>-20** =</td> <td></td> <td>X</td> <td>0</td> </tr> <tr> <td>Independent Claims</td> <td>-2** =</td> <td>X</td> <td>0</td> </tr> <tr> <td>Multiple Dependent</td> <td>X</td> <td></td> <td>0</td> </tr> </tbody> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202</td><td>50</td><td>2202</td><td>25</td><td>Claims in excess of 20</td></tr> <tr><td>1201</td><td>200</td><td>2201</td><td>100</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203</td><td>360</td><td>2203</td><td>180</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>1204</td><td>200</td><td>2204</td><td>100</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>1205</td><td>50</td><td>2205</td><td>25</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> <tr><td colspan="5" style="text-align: right;">SUBTOTAL (2)</td><td>(\$) 0</td></tr> </tbody> </table> <p>** or number previously paid, if greater; For Reissues, see above</p>				Total Claims	Extra Claims	Fee from below	Fee Paid	-20** =		X	0	Independent Claims	-2** =	X	0	Multiple Dependent	X		0	Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	1202	50	2202	25	Claims in excess of 20	1201	200	2201	100	Independent claims in excess of 3	1203	360	2203	180	Multiple dependent claim, if not paid	1204	200	2204	100	** Reissue independent claims over original patent	1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)					(\$) 0																																																																																																					
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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: <input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____ Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 <input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300. September 18, 2006 Date Nicole M. Aguirre Signature Typed or printed name																																																																																																																																																												

SUBMITTED BY		Complete (if applicable)	
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		Date:	September 18, 2006